

NOTICE TO LANDLORDS FILING FED (EVICTION) CASES

On April 1, 2020, Governor Kate Brown issued Executive Order 20-13 which, among other things, **prohibits the filing of certain eviction cases**. The Executive Order was effective immediately and remains in effect for 90 days unless extended or terminated earlier by the Governor.

- **A violation of Executive Order 20-13 could subject you to criminal penalties including a Class C Misdemeanor punishable by a fine of up to \$1,250.00 and up to 30 days in jail.**
- **If you file your complaint, your filing fee will not be refunded, even if it is subject to the Executive Order.**
- **You should review the full Executive Order to determine if it applies to the complaint you are filing.** Available at: https://www.oregon.gov/gov/admin/pages/eo_20-13.aspx.
- **If you have questions, you may want to contact an attorney.**

The following are excerpts from Governor Brown's Executive Order 20-13:

“1. Residential Tenancies.

- a. During this moratorium, landlords of residential properties in Oregon shall not, for reason of nonpayment as defined in paragraph 1(b) of this Executive Order, terminate any tenant's rental agreement; take any action, judicial or otherwise, relating to residential evictions pursuant to or arising under ORS 105.105 through 105.168, including, without limitation, filing, serving, delivering or acting on any notice, order or writ of termination or the equivalent; or otherwise interfere in any way with such tenant's right to possession of the tenant's dwelling unit.
- b. The term “nonpayment” as used in paragraph 1 of this Executive Order means any nonpayment of rent, late charges, utility charges, or any other service charge or fee, as described in ORS 90.392(2)(a) or (c), 90.394, or 90.630(1)(d) or (10), or any termination without cause under ORS 90.427. All other terms used in paragraph 1 of this Executive Order shall have the same meanings as set forth in ORS chapters 90 or 105.
- c. Nothing in paragraph 1 of this Executive Order relieves a residential tenant's obligation to pay rent, utility charges, or any other service charges or fees, except for late charges or other penalties arising from nonpayment which are specifically waived by and during this moratorium. Additionally, paragraph 1 of this Executive Order does not apply to the termination of residential rental agreements for causes other than nonpayment.
- d. * * *

2. Non-Residential Tenancies.

- a. During this moratorium, landlords of non-residential properties in Oregon shall not, for reason of nonpayment as defined in paragraph 2(b) of this Executive Order, terminate any tenant's lease; take any action, judicial or otherwise, relating to non-residential evictions pursuant to or arising under ORS 105.105 through 105.168, including, without limitation, filing, serving, delivering or acting on any notice, order or writ of termination or the equivalent; or otherwise interfere with such tenant's right to possession of the leased premises.
- b. The term “nonpayment” as used in paragraph 2 of this Executive Order means nonpayment of rent, late charges, utility charges, or any other service charge or fee, as described in the lease or in ORS 91.090, 91.210 or 91.220. All other terms used in paragraph 2 of this Executive Order shall have the same meanings as set forth in ORS chapters 91 or 105.
- c. Paragraph 2 of this Executive Order shall apply if a tenant provides the landlord, within 30 calendar days of unpaid rent being due, with documentation or other evidence that nonpayment is caused by, in whole or in part, directly or indirectly, the COVID-19 pandemic. Acceptable documentation or other evidence includes, without limitation, proof of loss of income due to any governmental restrictions imposed to mitigate the spread of COVID-19.
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